

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE

EQUAL EMPLOYMENT	)	
OPPORTUNITY COMMISSION,	)	
	)	
Plaintiff	)	C.A. No. 05-697-KAJ
v.	)	
	)	
BE&K ENGINEERING COMPANY	)	
(subsidiary of BE&K, Inc.),	)	
	)	
Defendant.	)	

**JOINT MOTION TO AMEND SCHEDULING ORDER**

The parties hereby jointly and respectfully request that this Honorable Court postpone pretrial submissions and the currently scheduled trial date to a later date it deems appropriate. In support of this joint request, the parties assert the following:

1. The current Scheduling Order provides that the parties will submit their pretrial stipulation and order to the Court on January 8, 2007. The Pretrial Conference with the Court is schedule for February 6, 2007 and a four-day trial is currently scheduled to commence on March 5, 2007. (D.I. 36).
2. Summary judgment briefing was not completed until November 6, 2006 and, as a result, the Court has not been provided adequate time to consider the pending motions.
3. A decision on the pending case dispositive motions is likely to impact the content of the joint proposed pretrial order and the scope and content of the issues, if any, that are presented at trial.

4. The parties, therefore, respectfully request that the Scheduling Order be revised to postpone submission of the Pretrial Order and trial date to a later date following the Court's decision on the pending motions, as determined appropriate by and convenient for the Court.

WHEREFORE, the parties jointly and respectfully request that the Court postpone the deadline for the submission of the joint proposed pretrial order and postpone the currently scheduled trial, which is set to begin on March 5, 2007, to such dates as the Court orders.

Respectfully submitted,

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Dated: December 7, 2006